IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: Browning et al. Examiner: G. Bansal

Serial No.: Unassigned (Divisional of 08/875,560) Group Art Unit: 1642

Filing Date: On even date herewith

For: ANTI-LYMPHOTOXIN-BETA RECEPTOR ANTIBODIES AS ANTI-TUMOR AGENTS

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16 August 2001
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Patricia Hofstetter

Preliminary Amendment

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

After granting a filing date in the above-referenced patent application and prior to calculation of the filing fee, kindly enter the following preliminary amendments and remarks:

IN THE TITLE:

Please delete the title "Lymphotoxin-α/β Complexes and Anti-Lymphotoxin-Beta Receptor Antibodies As Anti-Tumor Agents" and substitute therefor --"Anti-Lymphotoxin-Beta Receptor Antibodies As Anti-Tumor Agents"--.

IN THE SPECIFICATION:

Before line 1, insert ---Related Applications---;

Next line, insert ---This application is a divisional of 08/875,560 which is a 371 of PCT/US96/01386, filed January 26, 1996 which is a continuation-in-part of U.S.S.N. 08/378,968, filed January 26, 1995 and are hereby incorporated by reference.---

IN THE CLAIMS

Claims 1-60 were originally pending in U.S.S.N. 08/875,560 (please note that '560 is a 371 of PCT/US96/01386 which was filed with claims 1-70; amendments to claims 1-70 were submitted to the IPEA on March 5, 1997 and the claims were renumbered into the currently pending claims 1-60; the substitute pages are included herewith). Please delete claims 1-6, 18-37 and 50-60 without prejudice or disclaimer of the subject matter contained therein. Applicants specifically reserve the right to file a divisional or continuation application to the subject matter contained in claims 1-6, 18-37 and 50-60.

Please amend claims 7, 9, 14-17, 38 and 46-49 as follows:

7. A method for treating or reducing the advancement, severity or effects of neoplasia comprising the step of administering a therapeutically effective amount of at least two LT-β-R activating agents and a pharmaceutically acceptable carrier [The method according to claim 6], wherein at least one LT-β-R activating agent comprises an anti-LT-β-R antibody.

9. The method according to claim [6] 7, comprising at least two anti- LT-β-R monoclonal antibodies which are directed against non-overlapping epitopes of LT-β-R.

14. The method according to claim 9, wherein [the] at least one anti-LT-β-R monoclonal antibody [ies are] is CBE11 and at least one anti- LT-β-R monoclonal antibody is BHA10.

15. The method according to claim 9, wherein [the] at least one anti-LT-β-R monoclonal antibody [ies are] is CBE11 and at least one anti- LT-β-R monoclonal antibody is CDH10.

16. The method according to claim 9, wherein [the] at least one anti-LT-β-R monoclonal antibody [ies are] is AGH1 and at least one anti- LT-β-R monoclonal antibody is CDH10.

17. The method according to any one of claims 6-16, [wherein one LT-β-R activating agent is] further comprising IFN-γ.

38. A pharmaceutical composition comprising a therapeutically effective amount of at least two LT-β-R activating agents, and a pharmaceutically acceptable carrier [The pharmaceutical composition according to claim 37], wherein at least one LT-β-R activating agent comprises an anti- LT-β-R antibody.

46. The pharmaceutical composition according to claim 41, wherein at least one [the] anti- LT-β-R monoclonal antibody[ies are] is CBE11 and at least one anti- LT-β-R monoclonal antibody is BHA10.

47. The pharmaceutical composition according to claim 41, wherein at least one [the] anti- LT-β-R monoclonal antibody[ies are] is CBE11 and at least one anti- LT-β-R monoclonal antibody is CDH10.

48. The pharmaceutical composition according to claim 41, wherein at least one [the] anti- LT-β-R monoclonal antibody[ies are] is AGH1 and at least one anti- LT-β-R monoclonal antibody is CDH10.

49. The pharmaceutical composition according to any one of the claims 41-48, further comprising IFN-γ [as one of the LT-β-R activating agents].

Please add the following new claims to the application.

61. The method according to claim 7, wherein the anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793.

62. The method according to claim 7, wherein the anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line BH.A10, ATCC accession number HB11795.

63. The method according to claim 9, wherein at least one anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793

64. The method according to claim 9, wherein at least one anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line BH.A10, ATCC accession number HB11795.

65. The method according to claim 64, further comprising at least one anti- LT-β-R antibody having the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793.

66. The pharmaceutical composition according to claim 38, wherein the anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793.

67. The pharmaceutical composition according to claim 38, wherein the anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line BH.A10, ATCC accession number HB11795.

68. The pharmaceutical composition according to claim 46, wherein at least one anti-LT-β-R antibody has the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793.

69. The pharmaceutical composition according to claim 46, wherein at least one anti-LT-β-R antibody has the same epitope specificity as an antibody produced by cell line BH.A10, ATCC accession number HB11795.

70. The pharmaceutical composition according to claim 69, further comprising at least one anti- LT-β-R antibody having the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793.

REMARKS

The instant application is a divisional of U.S.S.N. 08/875,560 ('560). In reply to the election requirement mailed October 14, 1999 in the '560 case Applicants elect prosecution of the method claims, species XI and XII (claims 7-17) and composition claims, species III and IV (claims 38-49) which are directed at compositions of at least two LT-β-R activating agents for treating neoplasia where at least one anti-LT-β-R activating agent is a LT-β-R antibody.

Upon entry of the present amendment, claims 7-17 and 38-49 will remain pending in the above-identified application as well as new claims 61-70.

The above amendments to the specification and claims do not incorporate new matter into the application as originally filed. Basis for the new claims appears throughout the originally-filed description. Specific basis of the new claims appears at the Description passages cited below.

New claims 61-65 recite methods of using at least two LT-β-R activating agents for treating neoplasia where at least one anti-LT-β-R activating agent is a LT-β-R antibody and the antibody has the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793 or the cell line BH.A10, ATCC accession number HB11795, as disclosed at least at Description page 26, line 4 to page 28, line 29.

New claims 66-70 recites pharmaceutical compositions of the invention comprising at least two LT-β-R activating agents where at least one anti-LT-β-R activating agent is a LT-β-R antibody and the antibody has the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793 or the cell line BH.A10, ATCC accession number HB11795, as disclosed at least at Description page 26, line 4 to page 28, line 29.

Applicants respectfully solicit early and favorable examination. It is believed that the amended claims are in condition for allowance. If the Examiner believes that a telephone conference would expedite the prosecution of this application, please call the undersigned at (617) 679-2079.

Respectfully submitted,

Date: Aug 16, 2001

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CLAIMS PENDING AFTER ENTRY

7. A method for treating or reducing the advancement, severity or effects of neoplasia comprising the step of administering a therapeutically effective amount of at least two LT-β-R activating agents and a pharmaceutically acceptable carrier, wherein at least one LT-β-R activating agent comprises an anti-LT-β-R antibody.

8. The method according to claim 7, wherein the anti- LT-β-R antibody is CBE11.

9. The method according to claim 7, comprising at least two anti- LT-β-R monoclonal antibodies which are directed against non-overlapping epitopes of LT-β-R.

10. The method according to claim 9, wherein one anti- LT-β-R monoclonal antibody is selected from the group consisting of AGH1 and BDA8, and another anti- LT-β-R monoclonal antibody is selected from the group consisting of BCG6, BHA10, BKA11, CDH10 and CBE11.

11. The method according to claim 9, wherein one anti- LT-β-R monoclonal antibody is selected from the group consisting of BCG6 and BHA10, and another anti- LT-β-R monoclonal antibody is selected from the group consisting of AGH1, BDA8, BKA11, CDH10, and CBE11.

12. The method according to claim 9, wherein one anti- LT-β-R monoclonal antibody is selected from the group consisting of BKA11 and CDH10, and another anti-LT-β-R monoclonal antibody is selected from the group consisting of AGH1, BDA8, BCG6, BHA10, and CBE11.

13. The method according to claim 9, wherein one anti- LT-β-R monoclonal antibody is CBE11, and another anti-LT-β-R monoclonal antibody is selected from the group consisting of AGH1, BDA8, BCG6, BHA10, BKA11, CDH10 and CBE11.

14. The method according to claim 9, wherein at least one anti-LT-β-R monoclonal antibody is CBE11 and at least one anti- LT-β-R monoclonal antibody is BHA10.

15. The method according to claim 9, wherein at least one anti-LT-β-R monoclonal antibody is CBE11 and at least one anti- LT-β-R monoclonal antibody is CDH10.

16. The method according to claim 9, wherein at least one anti-LT-β-R monoclonal antibody is AGH1 and at least one anti- LT-β-R monoclonal antibody is CDH10.

17. The method according to any one of claims 6-16, further comprising IFN-γ.

38. A pharmaceutical composition comprising a therapeutically effective amount of at least two LT-β-R activating agents, and a pharmaceutically acceptable carrier, wherein at least one LT-β-R activating agent comprises an anti- LT-β-R antibody.

39. The pharmaceutical composition according to claim 38, wherein the anti- LT-β-R antibody is a monoclonal antibody.

40. The pharmaceutical composition according to claim 39, wherein the anti- LT-β-R antibody is CBE11.

41. The pharmaceutical composition according to claim 37, wherein at least two LT-β-R R activating agents comprise anti- LT-β-R monoclonal antibodies which are directed against non-overlapping epitopes of LT-β-R.

42. The pharmaceutical composition according to claim 41, wherein one anti- LT-β-R monoclonal antibody is selected from the group consisting of AGH1 and BDA8, and another anti-LT-β-R monoclonal antibody is selected from the group consisting of BCG6, BHA10, BKA11, CDH10 and CBE11.

43. The pharmaceutical composition according to claim 41, wherein one anti-LT-β-R monoclonal antibody is selected from the group consisting of BCG6 and BHA10, and another anti- LT-β-R monoclonal antibody is selected from the group consisting of AGH1, BDA8, CKA11, CDH10 and CBE11.

44. The pharmaceutical composition according to claim 41, wherein one anti- LT-β-R monoclonal antibody is selected from the group consisting of BKA11 and CDH10, and another anti- LT-β-R monoclonal antibody is selected from the group consisting of AGH1 and BDA8, BCG6, BHA10 and CBE11.

45. The pharmaceutical composition according to claim 41, wherein the anti-LT-β-R monoclonal antibody is CBE11, and another anti-LT-β-R monoclonal antibody is selected from the group consisting of AGH1, BDA8, BCG6, BHA10, BKA11, CDH10 and CBE11.

46. The pharmaceutical composition according to claim 41, wherein at least one anti-LT-β-R monoclonal antibody is CBE11 and at least one anti- LT-β-R monoclonal antibody is BHA10.

47. The pharmaceutical composition according to claim 41, wherein at least one anti-LT-β-R monoclonal antibody is CBE11 and at least one anti- LT-β-R monoclonal antibody is CDH10.

48. The pharmaceutical composition according to claim 41, wherein at least one anti- LT-β-R monoclonal antibody is AGH1 and at least one anti- LT-β-R monoclonal antibody is CDH10.

49. The pharmaceutical composition according to any one of the claims 41-48, further comprising IFN-γ.

61. The method according to claim 7, wherein the anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793.

62. The method according to claim 7, wherein the anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line BH.A10, ATCC accession number HB11795.

63. The method according to claim 9, wherein at least one anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793

64. The method according to claim 9, wherein at least one anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line BH.A10, ATCC accession number HB11795.

65. The method according to claim 64, further comprising at least one anti- LT-β-R antibody having the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793.

66. The pharmaceutical composition according to claim 38, wherein the anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793.

67. The pharmaceutical composition according to claim 38, wherein the anti- LT-β-R antibody has the same epitope specificity as an antibody produced by cell line BH.A10, ATCC accession number HB11795.

68. The pharmaceutical composition according to claim 46, wherein at least one anti-LT-β-R antibody has the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793.

69. The pharmaceutical composition according to claim 46, wherein at least one anti-LT-β-R antibody has the same epitope specificity as an antibody produced by cell line BH.A10, ATCC accession number HB11795.

70. The pharmaceutical composition according to claim 69, further comprising at least one anti- LT-β-R antibody having the same epitope specificity as an antibody produced by cell line CB.E11.1, ATCC accession number HB11793.